

AUTOTECH TECHNOLOGIES LIMITED  
PARTNERSHIP,  
Plaintiff,  
v.  
AUTOMATIONDIRECT.COM, INC.,  
TIMOTHY (*sic*)HOHMANN and KOYO  
ELECTRONICS INDUSTRIES CO., LTD.,  
Defendants.

AUTOMATIONDIRECT.COM, INC.,  
Plaintiff,  
v.  
AUTOTECH TECHNOLOGIES L.P.,  
AVG ADVANCED TECHNOLOGIES,  
INC., SHALLI INDUSTRIES, INC., and  
SHALABH KUMAR,  
Defendants.

Magistrate Judge Cole

AutomationDirect.com, Inc. (“ADC”), by and through its attorneys Alan R. Lipton and James Trigg, submit this Motion for Ruling on ADC’s Unopposed Motion for Summary Judgment.

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conclusion of the December 5, 2006 court appearance, the Court entered the following order:

On Automationdirect, Inc.'s motion for summary judgment as to the trademark claims of all parties and for entry of a permanent injunction 235, response and/or cross-motion for summary judgment due by 1/5/2007; reply/response due by 2/5/2007. Autotech Technologies, Ltd.'s reply in support of its cross motion for summary judgment is due by 2/20/2007. The Court to rule electronically.

(Dkt., 241).

2. The January 5, 2007 deadline for Autotech's response and cross-motion came and went and Autotech filed nothing with the Court. Nor did Autotech's counsel contact ADC's counsel requesting an extension or file papers with the Court requesting an amended briefing schedule before the close of business on January 5, 2007.

3. On January 8, 2007, counsel for Autotech asked counsel for ADC for an additional fourteen (14) days to file Autotech's response and cross-motion for summary judgment. As evidenced by the email attached as Exhibit 1, ADC agreed to this request, asking Autotech to submit a stipulation and order to the Court requesting entry of the modified briefing schedule.

Cary,

Pursuant to your request at the conclusion of today's [hearing] before Judge Cole, we have no objection to entering a stipulation to extend by 14 days the time for you to respond to the currently pending motion for summary judgment and to file a cross-motion. Obviously, all associated dates would also be extended by 14 days. Please prepare an appropriate stipulation and order for execution by Judge Holderman.

Best,  
Alan

(Ex. 1). Autotech did not submit the stipulation or proposed order to the Court or file its response and cross motion by the January 22, 2007 deadline it sought.

4. On January 17, 2007, counsel for Autotech told counsel for ADC that Autotech intended to ask the Court for an additional 7 days to file its response and cross motion for summary judgment. Since then, Autotech has not moved for an extension and has not filed its response or cross motion for summary judgment.

5. The time has come and gone for Autotech to file its response to ADC's motion for summary judgment. Autotech's failure to comply with the December 5, 2006 order or timely seek a modification of it warrants a ruling on the motion on an unopposed basis. Pursuant to the Court's December 5, 2006 order, ADC's reply in support of motion for summary judgment is due today, February 5, 2007. In light of Autotech's failure to file a response, ADC has not prepared a reply and requests the Court rule on the motion for summary judgment based on ADC's unopposed November 28, 2006 summary judgment submissions.

WHEREFORE, AutomationDirect.com respectfully requests the Court enter an order granting this motion and rule on ADC's unopposed motion for summary judgment.

Respectfully submitted,

**AUTOMATIONDIRECT.COM**

By: /s/ Alan R. Lipton  
One of its attorneys

Alan R. Lipton (6225472)  
Barry F. Mac Entee (6275410)  
HINSHAW & CULBERTSON LLP  
222 N. LasSalle Street  
Suite 300  
Chicago, IL 60601-1081  
Phone: 312.704.3000  
Fax : 312.704.3001

Virginia S. Taylor, *Pro Hac Vice*  
Susan A. Cahoon, *Pro Hac Vice*  
James A. Trigg, *Pro Hac Vice*  
KILPATRICK STOCKTON LLP  
1100 Peachtree Street  
Suite 2800  
Atlanta, Georgia 30309-4530  
Phone: 404.815.6500  
Fax: 404.815.6555

**CERTIFICATE OF SERVICE / NOTICE OF FILING**

I hereby certify that on February 5, 2007, I electronically filed **DEFENDANT AUTOMATIONDIRECT.COM'S MOTION FOR RULING ON ITS UNOPPOSED MOTION FOR SUMMARY JUDGMENT** with the Clerk of the U.S. District Court for the Northern District of Illinois, Eastern Division, using the CM/ECF system which will send notification of such filing(s) to the following:

Cary S. Fleischer Sanjay Shivpuri David Seth Argentar Chuhak & Tecson 30 South Wacker Drive, Suite 2600 Chicago, IL 60606 (312) 444-9300 (312) 444-9027 (Fax) <a href="mailto:cfleischer@chuhak.com">cfleischer@chuhak.com</a> <a href="mailto:sshivpuri@chuhak.com">sshivpuri@chuhak.com</a>	Robert Eliot Shapiro Wendy Sloane Barack, Ferrazzano, Kirschbaum, Perlman & Nagelberg 333 West Wacker Drive, Suite 2700 Chicago, IL 60606 (312) 984-3100 (312) 984-3150 (Fax) <a href="mailto:rob.shapiro@bfkpn.com">rob.shapiro@bfkpn.com</a> <a href="mailto:w.sloane@bfkpn.com">w.sloane@bfkpn.com</a>
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/s/ Barry Francis Mac Entee .  
One of ADC's attorneys